

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

FEB 13 2014

DAVID J. MALAND, CLERK
BY
DEPUTY

UNITED STATES DISTRICT COURTS
EASTERN DISTRICT OF TEXAS
DIVISION

Huey P. Walters

Case Number: _____

Name of Plaintiff(s)

1:14CV0096

vs

BG Foods, Inc.
(McDonald's)
#4727

Name of Defendant(s)

Judge Clark

Judge Giblin

COMPLAINT UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

Note: If plaintiff is alleging employment discrimination based on race or color, please also see 42 U.S.C. 1981

1. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is specifically conferred on the court by 42 U.S.C. 2000e-5. Equitable and other relief are also sought under 42 U.S.C. 2000e-5(g).

2.. Plaintiff, Huey Walters, is a citizen of the United States
(name of plaintiff)

and resides at 9485 McLean, Beaumont
(street address) (city)

Jefferson, TX, 77707, (409) 998-4229
(county) (state) (zip) (telephone)

3.. Defendant, BG Foods, Inc. (McDonalds) resides at, or its business is
(name of defendant)

located at 190 I-H 10 North, Beaumont
(street address) (city)

Jefferson, TX, 77702, (409) 835-3183
(county) (state) (zip) (telephone)

4. Plaintiff sought employment from the defendant or was employed by the defendant

at 190 I-H 10 North, Beaumont
(street address) (city)

Jefferson, TX, 77702
(county) (state) (zip)

5. Defendant discriminated against plaintiff in the manner indicated in paragraphs 9 and 10

of the complaint on or about March 02, 2012
(month, day, year)

6. Plaintiff filed charges against the defendant with the Equal Employment Opportunity Commission charging defendant with the acts of discrimination indicated in paragraphs 9 and 10 of this complaint on or about August 25, 2012
(month, day, year)

7. The Equal Employment Commission issued a Notice of Right to Sue which was received by plaintiff on November 21, 2013
(month day, year)

8. Because of plaintiff's (1) _____ race, (2) _____ color, (3) ☒ sex,
(4) _____ national origin, defendant:

a. _____ failed to employ plaintiff.

b. ☒ terminated plaintiff's employment.

c. _____ failed to promote plaintiff.

d. ☒ Other Sexual harassment

9. The circumstances under which the defendant discriminated against plaintiff were as follows:

From the very first day of (02/28/12)
working at McDonald's #4727
I was under pressure from
employees asking about my
sexuality. After addressing the
occurrences with manager
Jonathan Ellis the harassment
got worse. Employees referred
to me as a "faggot", "sissy"
even so much as to say I
was having sexual relations
with another employee.
Ultimately, I was falsely accused of
giving food to my mother and
was terminated. There has been
no proof to support these allegations
of theft.

10. The acts set forth in paragraph 9 of this complaint:

- a. _____ are still being committed by defendant.
- b. _____ are no longer being committed by defendant.
- c. ☒ defendant may still be committing the acts.

11. Plaintiff attaches to this complaint a copy of the charges filed with the Equal Employment Opportunity Commission which charges are submitted as a brief statement of the facts supporting this complaint. WHEREFORE, Plaintiff prays that the Court grant the following relief to the plaintiff:

- a. _____ Defendant be directed to employ plaintiff.
- b. _____ Defendant be directed to re-employ plaintiff.
- c. _____ Defendant be directed to promote plaintiff.
- d. ☒ Defendant be directed to _____ and that the

Court grant such relief as may be appropriate, including injunctive orders, damages, costs and attorney's fees.


(Signature of Plaintiff)